

**Global Initiative to Galvanize Political Commitment  
to International Humanitarian Law**  
**First State Consultation on Naval Warfare**  
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*Statement by*

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Thank you, Madam Chair.

Austria thanks the International Committee of the Red Cross and the co-chairs Egypt and Indonesia for convening this first state consultation on Naval Warfare.

The interconnected global human society is dependent on a healthy marine environment, free maritime trade routes and the safety of persons at sea. Therefore, Austria, even though we are a landlocked country, has actively participated in the negotiations on the Second Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea of 1949, the United Nations Convention on the Law of the Sea and the Agreement on Marine Biological Diversity of Areas Beyond National Jurisdiction, in short BBNJ Agreement.

The marine environment is an essential resource for life on Earth. The oceans are home to a large diversity of species, produce oxygen, regulate the climate and provide us with food.

The conduct of hostilities at sea have a massive impact on the marine environment. The use of explosive weapons at sea and of sea mines kills or seriously injures marine animals and plants. The use of sonar technology causes marine animals to lose their sense of direction and thus their ability to survive.

Whenever ships are hit by attacks, they lose fuel and often other hazardous goods such as oil or chemicals.

According to the World Trade Organization, maritime shipping is the most important mode of international transport for traded goods and constitutes the backbone of global supply and value chains. It accounts for more than 80 per cent of the volume of world trade.

Also lifesaving goods, on which communities in need of humanitarian assistance depend, are transported by sea.

Conventional and customary international humanitarian law contains clear provisions prohibiting attacks and other adverse effects of naval warfare on the marine environment, civilian ships and the freedom and safety of shipping routes.

The natural environment is civilian in nature. Pursuant to Article 55 of Additional Protocol I to the Geneva Conventions, care has to be taken in warfare to protect the natural environment against widespread, long-term and severe damage. This protection includes a prohibition of the use of methods or means of warfare which are intended or may be expected to cause such damage to the natural environment and thereby to prejudice the health or survival of the population. Attacks against the natural environment by way of reprisals are prohibited.

These rules also and particularly apply to the marine environment. In the case of the latter, this is further aggravated by the fact that the conduct of hostilities at sea is regularly capable of affecting not only the health and survival of the population of the belligerents, but also that of neighbouring coastal and inland states.

The San Remo Manual on International Law Applicable to Armed Conflicts at Sea, which reflects the relevant rules of customary international law, also comprises key provisions restricting naval blockades and prohibiting them in certain cases.

Thus, the declaration or establishment of a blockade is prohibited if it has the sole purpose of starving the civilian population or denying it other objects essential for its survival. Similarly, blockades are prohibited if the damage to the civilian population is, or may be expected to be, excessive in relation to the concrete and direct military advantage anticipated from the blockade.

If the civilian population of the blockaded territory is inadequately provided with food or other objects essential for its survival, the blockading party must provide free passage of food and such other essential supplies. The blockading belligerent has to allow the passage of medical supplies for the civilian populations as well as for the wounded and sick members of armed forces.

Thank you very much.